

REGULAR COUNCIL MEETING MARCH 9, 2010

The regular meeting of the Council of the Town of Altavista was held in the Council Chambers of the Municipal Building, 510 Seventh Street on March 9, 2010 at 7:00 p.m.

- 1. Mayor Burgess called the meeting to order and presided.
- 2. Mr. Morgan Allen, Treasurer, gave the invocation.

Council members
present:

Mr. J.R. Burgess
Mr. Ronald Coleman
Mrs. Beverley Dalton
Mr. Bill Ferguson
Mr. Jay Higginbotham
Mr. Michael Mattox
Mrs. Rayetta Webb

Also present:

Mr. J. Waverly Coggsdale, III, Town Manager
Mr. W. Morgan Allen, Jr., Treasurer
Mr. Dan Witt, Assistant to Town Manager
Chief Clay Hamilton, Police Department
Captain Kenneth Walsh, Police Department
Mr. John Tomlin, Public Works Director
Mr. Phillip Bennett, Wastewater Treatment Plant Director
Mr. John Eller, Town Attorney
Mrs. Mary Hall, Administration

- 3. Mayor Burgess advised the public hearing has been moved to the April 13, 2010 meeting due to an advertising error and the Recreation Committee Appointment has been moved to closed session and asked if there were any questions regarding the amended agenda.

A motion was made by Mr. Mattox, seconded by Mrs. Webb, to approve the agenda as amended.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes
	Mrs. Rayetta Webb	Yes

- 4. Mayor Burgess asked if there were any questions regarding the minutes of the February 9, 2010 meeting.

A motion was made by Mr. Coleman, seconded by Mrs. Webb, that the minutes of the February 9, 2010 meeting be approved as presented.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes
	Mrs. Rayetta Webb	Yes

- 5. Mayor Burgess presented the invoices for the month of February and asked if there were any questions regarding the invoices.

6. Financial Statements

7. Public Comments

Mayor Burgess asked if anyone would like to speak that was not on the agenda.

Mr. Bill Booker, Citizens of Altavista Baseball, addressed Council, thanking them for their support. Mr. Booker stated backstop and equipment rooms in the dugout are in the works. Mr. Booker mentioned a World Classic in June and World Series in July will be held at the War Memorial Park.

Mr. Dick McKeel, Citizens of Altavista Baseball, presented Council with a drawing of the new sign to be placed at the entrance of the War Memorial Park.

Mayor Burgess welcomed Mr. Stan Goldsmith, Campbell County Board of Supervisors, Altavista District Representative.

8. Special Items or Recognitions

a. Altavista High School Football Team-State Champions

Mr. Coggsdale asked Council to ratify a resolution presented to the Altavista High School Football Team, February 28, 2010, commending them on their State Championship win.

A motion was made by Mrs. Dalton, seconded by Mr. Coleman, to adopt the resolution as presented to the Altavista High School Football Team.

Motion carried:

VOTE:

Mr. J.R. Burgess	Yes
Mr. Ronald Coleman	Yes
Mrs. Beverley Dalton	Yes
Mr. Bill Ferguson	Yes
Mr. Jay Higginbotham	Yes
Mr. Mike Mattox	Yes
Mrs. Rayetta Webb	Yes



RESOLUTION HONORING THE ALTAVISTA HIGH SCHOOL COLONELS,
VIRGINIA "A" DIVISION 1 STATE FOOTBALL CHAMPIONS

WHEREAS, the Altavista High School football team began practice for the 2009 season in the summer heat with hopes of having its first winning season since 1998 and building on the strides that had been made in the past few seasons, no one could predict the journey that lay ahead; and

WHEREAS, the 2009 Altavista High School football team capped an outstanding season by winning the Virginia High School League Group "A" Division 1 football championship before an enthusiastic crowd on December 12, 2009 at Salem Memorial Stadium; and

WHEREAS, the Colonels finished the regular season with a 9-1 record and their first Dogwood title since 1971 and completed its magical title run with an outstanding record of 13 wins and 1 loss; and

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WHEREAS, the Colonels displayed a balanced attack utilizing teamwork, speed and hard hitting to outscore opponents by a margin of 407 to 157; and

WHEREAS, Altavista High School began the post season with a stellar defensive effort shutting out the visiting Madison County Mountaineers, 10 – 0 at English Stadium; and

WHEREAS, for the Region “B” Finals the Colonels went on the road, visiting Riverheads High School and fended off the cold temperatures and the Gladiators to hoist the Region “B” championship trophy with a 20-17 victory; and

WHEREAS, Altavista played host to the West Point Pointers in the State Semifinal contest on a soggy English Stadium field and prevailed with a 14 – 6 victory, delighting the many Colonel fans and paving the way to their date with destiny; and

WHEREAS, the Altavista Colonels won their first state football championship on December 12, 2009 by defeating the J.I. Burton Raiders 27 – 7 at Salem Memorial Stadium in Salem, Virginia, capping a storybook season for the team, the school, its students, the fans and the Altavista community; and

WHEREAS, the historic performance of the 2009 Altavista Colonel football team is a tribute to the talent, dedication, and perseverance of the players; the leadership of Coach Mike Scharnus, his coaching staff, Principal Clay Stanley and Athletic Director Dean Hubbard; as well as the sustained and enthusiastic support of the Altavista community; now, therefore be it

BE IT RESOLVED, the Altavista Town Council recognizes and congratulates the 2009 Altavista High School football team on their outstanding season; and

BE IT FURTHER RESOLVED, that a copy of this resolution is presented to Altavista High School as an expression of the admiration of the Town of Altavista and its citizens for the championship performance of the 2009 Altavista High School football team.

Adopted the 9th day of March 2010.

J.R. Burgess, Mayor

Attested:

J. Waverly Coggsdale, III, Town Manager

Mr. Coggsdale also recognized Miss Mary Michael Robertson, Altavista Combined School, who is scheduled to attend the National Spelling Bee after winning on the regional level.

9. Public Hearings

- a. B & D Auto Sales –Special Use Permit Application

Reschedule for the April 13, 2010 Town Council Meeting.

10. Committees

No committee reports.

11. Unfinished Business

- a. Comprehensive Plan Update Revisions

Mr. Coggsdale advised on January 26th, the Town Council held a Work Session to review the draft of the Comprehensive Plan Update. The Plan had been completed and submitted to Council by the Planning Commission and Council completed a detailed review. Suggestions, changes, additions, and corrections were made to the draft. Staff has incorporated those changes into the document and is providing a copy of just the pages with changes. Mr. Coggsdale asked if Council wanted another work session to review the plan again or to move forward with a public hearing.

A motion was made by Mr. Mattox, seconded by Mrs. Webb, to hold a public hearing at the April 13, 2010 Town Council Meeting to receive public comments on the Comprehensive Plan.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes
	Mrs. Rayetta Webb	Yes

b. WWTP Emergency Overflow Pond Environmental Issues Update

Mr. Coggsdale advised last month Mayor Burgess appointed a committee consisting of Mr. Coleman, Mr. Higginbotham, Mr. Witt and himself and requested they meet with the Virginia Department of Environmental Quality (VDEQ) to discuss the Town's participation in the agency's Voluntary Remediation Program (VRP). The Committee met with Mr. Meade Anderson (VDEQ) on February 24, 2010 to discuss the Town's continued participation in the VRP and actions that would be necessary. Staff compiled a memo that sets forth the items discussed at the meeting. Based on the meeting, staff recommends that the Town draft a letter to the Virginia DEQ regarding our continued participation in the Voluntary Remediation Program based on the objective timeline and estimated costs as presented to Council.

Mr. Higginbotham advised after meeting with Mr. Anderson, it is agreed the Town wants to continue participation in the VRP. Mr. Anderson wants a plan moving forward. Mr. Higginbotham stated three principal areas have been discussed, Dr. Sours' bio remediation, dig and haul and In-Pile Thermal Desorption. Mr. Mead would not advise what was the best plan to move forward with but the easiest was dig and haul per Mr. Higginbotham. Mr. Higginbotham stated Mr. Anderson is requesting a plan with 30 to 45 days to pass on to his boss. Mr. Higginbotham felt the committee should meet with Dr. Sours to see what is viable in his program and invite Mr. Anderson. Mr. Higginbotham suggested at the same time do a VRP for an In-Situ Thermal Desorption and a VRP for Dig and Haul. Three options are available and Council needs a plan moving forward.

Mayor Burgess asked if Dr. Sours has provided a plan.

Mr. Higginbotham stated Dr. Sours has studied the PCBs and has proven that over time he has broken down the external chlorine rings that make up the PCBs then an oxidizing agent is added that breaks down the PCBs, a twofold process. Mr. Higginbotham stated he would like to tie down a timetable with Dr. Sours and the cost. He also suggested keeping this technology in one corner of the lagoon for future problems and use the Dig and Haul for 90% of the PCBs.

Mr. Coleman offered a different scenario of their meeting. Mr. Coleman stated the Town has been in the program for ten years and has the largest PCB site (highest concentration) in Virginia. The only reason Mr. Anderson has been able to keep the Town in the program was the cost factor. Mr. Coleman stated Mr. Anderson stated the easiest method is Dig and Haul, only one other site has tried a different method. Mr. Coleman felt the VDEQ is looking for a completion time and the ultimate position the Town is going to take to stay in the program. If the Town is removed from the program, it could be very costly. Mr. Coleman agreed he would like to be on the cutting edge of technology but felt the state didn't care about that; they just want the PCBs removed. Mr. Coleman felt Council should do whatever it took to stay within the program; possibly submit an option and

continue looking at other options. Mr. Coleman stated he was not sure dealing with Dr. Sours would keep the Town in the program.

Mrs. Dalton suggested moving forward with a VRP with dig and haul and a VRP with the incineration process and continue to ask questions and send samples to Dr. Sours. The plan has a three prong approach. If Council gets to the point of pressure from Mr. Anderson's office, then the Town could fall on one of these options.

Mr. Coggsdale stated this proposed letter will be advised on parallel courses the Town will seek funding, the development of a procurement document that deals with remediation options and put a timeframe on there.

Mrs. Dalton suggested calling Mr. Anderson after developing the letter and reviewing with him.

Mrs. Webb stated it concerned her that Mr. Anderson indicates that to continue in the VRP the Town needs to set forth a "definitive plan of action" for remediation at this site and further indicated that VDEQ would be expecting this in a 30 day period; otherwise they would be issuing a letter in regard to the Town's removal from the VRP. The Town is in a prime position now that they may not be in the future with interest rates if we have to do our own and the bond referendum (best bond rating that we have). Mrs. Webb requested Council to move forward with a plan.

Mr. Coleman stated while in the VRP, they give a letter of completion which will cover the Town once the PCBs are removed from that particular site. Mr. Coleman asked Council members what would be their number one priority if an option had to be chosen.

Council agreed to "Dig and Haul."

A motion was made by Mrs. Dalton, seconded by Mrs. Webb, to ask the Town Manager to write a letter to VDEQ outlining a plan of action and stating that the Town wants to continue as part of the VRP, indicate that desire with Mr. Mead Anderson, and seek financial support for implementation of remediation of the WWTP Emergency Overflow Pond.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes
	Mrs. Rayetta Webb	Yes

c. Town/County Service/Operations Review

Mr. Coggsdale advised at the February 23, 2010 Quarterly Meeting of the Town Council and County's Altavista District Board of Supervisors representative, Stan Goldsmith and County Administrator David Laurrell, the group discussed having the Town and County staffs look at the potential pros and cons of collaborating on certain services or functions. The group discussed ways to combine or streamline Town/County services for Information Technology, Economic Development and Payroll/Health Benefits. It was the consensus of the group to recommend these areas be looked at to deem if it would be feasible to work together in these areas.

Mayor Burgess asked if this should be discussed at later date after Council has had time to think about these options.

Mr. Coggsdale asked Council to consider these items for the 2012 budget.

Mayor Burgess referred this matter to the August Council meeting.

d. Environmental Assessment-Land Purchase

Mr. Coggsdale advised in December 8, 2009, the Altavista Town Council adopted a motion to enter into an agreement with M&W Land Co. LLC to purchase a 26.94 acre parcel (TPIN 69-A-42/PT of 69-A-43). The agreement was executed by both parties on December 15, 2009 and provided for a ninety (90) day closing period. In addition, the Town at its option decided to conduct a Phase I Environmental Assessment, as outlined in the agreement. The Town is in receipt of the Phase I Environmental Assessment and a copy was made available to the Seller. Mr. Coggsdale mentioned the consultant, as outlined in their February 18, 2010 letter, recommends further investigation of the site and provides four optional actions that may benefit the Town prior to purchase of the property.

Mrs. Dalton stated she felt compelled to move forward until there was further investigation due to the environmental issues.

Mrs. Webb stated after dealing with 10 years of PCBs, the Town could not take the risk of purchasing property that was not clean.

A motion was made by Mrs. Webb, seconded by Mr. Mattox, to move forward with the consultant's recommendation of further investigation of the site in accordance with the provisions of the Land Sales and Purchase Agreement.

Motion carried:

VOTE:

Mr. J.R. Burgess	Yes
Mr. Ronald Coleman	Yes
Mrs. Beverley Dalton	Yes
Mr. Bill Ferguson	Yes
Mr. Jay Higginbotham	Yes
Mr. Mike Mattox	Yes
Mrs. Rayetta Webb	Yes

12. New Business

a. Annual Reports

i. Police Department-Chief Clay Hamilton

Chief C.W. Hamilton, Jr. presented Council with the 2009 Annual Police Report for the Altavista Police Department .stating major crimes are down from 2008. Chief Hamilton mentioned various stores have a Merchant's Book in which the on duty officer visits the store daily and signs the merchant's book which seems to be very successful.

ii. Altavista On Track (AOT)-Jo Kelley, Executive Director

Mrs. Jo Kelley, Executive Director of Altavista On Track, updated Council on the 2009 activities of Altavista On Track. Mrs. Kelley mentioned 2010 will start their fourth year as a designated Main Street Program. Mrs. Kelley advised some of the program highlights as helping to façade 18 building improvement grants, working on the nine upper story apartments and renovation of the Gateway Park along with highlighting the 2010 planned activities.

b. Zoning Ordinance Consultant

Mr. Coggsdale advised previously Town Council directed staff to prepare a Request for Proposals (RFP) to select a consultant for a zoning ordinance rewrite/update for the Town. Staff wrote and issued the RFP with proposals due on January 14, 2010. Four proposals were received for the zoning ordinance rewrite/update from the following companies: Region 2000 Local Government Council; Advanced Planning Associates L.C.; Viewshed Consultants, LLC; and William H. Gordon Associates. A review committee comprised of Mr. Coleman, Mr. Ferguson, Planning Commission Chair Jerry Barbee and Planning Commissioner Tim Wagner, Assistant to the Town Manager, and Mr. Dan Witt ranked the proposals and decided to interview the top two candidates: Viewshed Consultants, LLC and William H. Gordon Associates. The two firms were interviewed on Thursday, February 18th with Mr. Barbee, Mr. Wagner and Mr. Witt in attendance. Following the interviews it was determined that Viewshed Consultants, LLC is the best qualified and experienced team to complete the zoning ordinance rewrite/update. Mr. Coggsdale mentioned staff has received a draft contract from Mr. Greg Baka of Viewshed Consultants, LLC with an estimated cost of \$40,000. The FY2010 Capital Improvement Plan and the FY2010 Budget includes \$50,000 for this service.

Mr. Higginbotham stated with the current economic situation he was not sure this money should be spent and asked if this could be handled in house.

Mr. Mattox stated this was a need not a want and Council should move forward with updating the zoning ordinance.

A motion was made by Mrs. Webb, seconded by Mr. Ferguson, authorizing staff to negotiate a contract for professional services for the Zoning Ordinance rewrite/update with Viewshed Consultants, LLC in an amount not to exceed \$40,000 and authorize the Town Manager to sign the contract when negotiations are finalized.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	No
	Mr. Mike Mattox	Yes
	Mrs. Rayetta Webb	Yes

c. Appointments

Moved to closed session.

13. Town Manager’s Report

a. Project Updates

VDOT Enhancement Project and Downtown Utility Replacement Project

Progress Meeting conducted on February 23, 2010
Sanitary Sewer and Storm Sewer are being installed along English Alley.
Water Line (6”) is being installed along English Alley.
Traffic Control Plan for the intersection Main Street/Broad Street is being developed by the contractor.

Community Development Block Grant

Façade Improvements

Allocation of \$192,566.47 (Budget: \$200,000) of CDBG funds and \$96,885.29 (Budget: \$97,225) of Building Improvement Funds for façade rehabilitation work on 22 buildings within the project area.

Contracts and other paperwork have been executed for 17 buildings to date.

Under contract with DHCD to do work on 18 buildings.

Streetscape (Gateway Park)-Project is ready to bid once land acquisition is complete

Upper Story Housing

Informational meeting held in late January. Applications are being taken from property owners who wish to participate in the program. There is a \$25,000 CDBG cost limit per unit.

One formal application received to date, interest expressed by 7 more units.

Under contract with DHCD to rehab 9 units.

Marketing

Altavista On Track's web site has been completed.

Way finding signage project is moving forward.

McMinnis Spring Water Supply Line Project

Project was substantially complete by the contract completion date of February 28, 2010.

The contractor will dress and seed some disturbed areas when the conditions are more favorable. The Town will hold the 5% retainage until these items are complete.

Water Plant Filter Media Replacement Project

Pre-Construction meeting was held on February 12th.

Notice to Proceed was issued on March 1, 2010.

Substantial completion within 180 calendar days and will be completed and ready for final payment within 210 calendar days. Substantial completion date is August 27, 2010.

Public Transportation Feasibility Study

Funding application has been filed with DRPT.

School Street Park Improvements

Development of a material takeoff sheet completed; this will assist with getting prices on the project.

b. Reports

i. Departmental

ii. Other

c. Other Items as Necessary

d. Informational Items

14. Matters from Town Council Members

Mr. Mattox asked how the new website was progressing.

Mr. Coggsdale stated he has been in touch with Municode and they have some components he is reviewing.

Mr. Ferguson commended the contractor who completed the McMinnis Spring Project within the deadline during the severe winter weather.

15. Closed Session

A motion was made by Mrs. Webb, seconded by Mr. Mattox, that the Altavista Town Council convene in closed session in accordance with the provisions set out in the *Code of Virginia*, 1950 as amended,

Section 2.2-3711 (A)(1) regarding discussion, consideration, or interviews of prospective candidates for appointment to the Planning Commission and Recreation Committee.

Section 2.2-3711 (A)(3) regarding discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body

Section 2.2-3711 (A)(5) regarding discussion concerning a prospective business or industry or the expansion of an existing industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes
	Mr. Mike Mattox	Yes
	Mrs. Rayetta Webb	Yes

Council went into closed session at 8:42 P.M.

Notice was given that Council was back in regular session 9:00 P.M.

FOLLOWING CLOSED SESSION:

A motion was made by Mrs. Webb, seconded by Mr. Higginbotham, to adopt the certification of a closed meeting.

CERTIFICATION OF CLOSED MEETING

WHEREAS, the town council has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the town council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the town council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the town council.

Motion carried:

VOTE:	Mr. J.R. Burgess	Yes
	Mr. Ronald Coleman	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Bill Ferguson	Yes
	Mr. Jay Higginbotham	Yes

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Mr. Mike Mattox	Yes
Mrs. Rayetta Webb	Yes

Mayor Burgess asked if there was anything else to bring before Council.

The meeting was adjourned at 9:00 p.m.

J. R. Burgess, Mayor

W. Morgan Allen, Jr., Clerk